IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

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WRIT PETITION No.8752 of 2000

Between:

B.Suresh Kumar, S/o Rangaiah,
Partner: M/s. Kanyaka Vasavi Industries,

R/o 17-1-382/R/42, RTC Colony,
Champapet, Hyderabad.

..... PETITIONER

AND

1 The Collector, CS,
Sangareddy, Medak District.
2 The District Supply Officer,
Sangareddy, Medak District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction particularly one in the nature of Writ of Mandamus, declaring the action of the respondents in seizing the petitioners Paddy (100 qtls.) on 14-5-2000 as illegal, arbitrary, null and void and consequently direct the respondents to release the seized stocks of the Petitioner to him forthwith by accepting the reasonable bank-guarantee or any third-party security pending disposal of the 6-A proceedings before the 1st respondent.

Counsel for the Petitioner: MR.Gande Venkateswarlu

Counsel for the Respondent Nos.1 and 2: GP for Civil Supplies

The Court made the following:

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ORDER:

The petitioner is the Managing Partner of M/s.Kanyaka Vasavi Industries, Champapet, Hyderabad. He filed the present writ petition seeking a writ of Mandamus declaring the action of the respondents in seizing 100 quintals of petitioner's paddy on 14.5.2000 as illegal and arbitrary, and for a consequential direction to release the paddy to him forthwith pending disposal of proceedings under Section 6-A of the Essential Commodities Act, 1955 (the Act, for brevity). Be it noted that the District Supply Officer, Medak District and the Deputy Tahsildar (Enforcement), Gajwel, Medak District seized the stock while the same was being carried by lorry bearing No.AP 11/T 8850 on 13.5.2000 at 10.40 hours. Apprehending that the same might be sold pending proceedings under Section 6-A of the Act, the present writ petition is filed.

This Court while admitting the writ petition ordered the release of stock to the petitioner on furnishing bank guarantee. Therefore, without expressing any opinion in merits of the case, the writ petition is disposed of directing the respondents to complete the proceedings under Section 6-A of the Act, if not already completed.

The writ petition is, accordingly, disposed of.

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(V.V.S.RAO,J)

07.06.2005

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To

1 The Collector, CS, Sangareddy, Medak District.
2 The District Supply Officer, Sangareddy, Medak District.

3 Two CCs to the Government Pleader for Civil Supplies,

High Court Buildings, Hyderabad.

4 Two C.D. Copies.